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HIGH COURT OF CHHATTISGARH AT BILASPUR

Second Appeal No. 233/2007

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellant (Defendant No. 1)	Rajendra Kumar S/o Late Mahadeo Prasad Shrivastava, Aged about 55 years, r/o Bazar Para, Belghana, Tahsil Kota, District Bilaspur (C.G.)

VERSUS

Respondents (Plaintiff) 1.	Shambhu Prasad S/o Late Jagdamba Prasad Shrivastava, aged about 55 years r/o Bazar Para, Belgehna, Tahsil Kota, District Bilaspur C.G.
(Defendant No. 2) 2.	Smt. Sushila Bai, aged about 75 years, Widow of Late Mahadeo Prasad Shrivastava, Aged about 55 years r/o Bazar Para, Belgehna, Tahsil Kota, District Bilaspur C.G.

Memo of Second Appeal Under Section 100 of the Code of Civil Procedure, 1908

Present:-
Shri A.R.K. Rao, counsel for the appellant.

Oral Order
(Passed on 4th day of July, 2007)

Heard on admission.

The appellant is aggrieved by the judgment and decree dated 20.03.2007 passed by 8th Additional District Judge, F.T.C., Bilaspur in Civil Appeal No. 16-A/2004 whereby the judgment and decree for permanent injunction passed by the Court of Civil Judge, Class-II in Civil Suit No. 133-A/2002 against the defendant was affirmed while dismissing the appeal preferred by the appellant/defendant No. 1.

2. I have perused the impugned judgment as also the judgment of trial Court.

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3. Both the Courts below have recorded a concurrent finding of fact while granting permanent injunction against the appellant. No perversity is seen in the finding of fact thus recorded. No substantial question of law thus arises for determination in this appeal. The appeal is dismissed at the stage of admission.

4. Consequently, I.A. No. 1 for grant of stay is also dismissed.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Kvr